

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
ALBERT T. BEANE, JR., and all others  
similarly situated,

Plaintiffs,

ECF Case

v.

07 Civ. 9444 (RMB) (GWG)

THE BANK OF NEW YORK MELLON,  
BNY CONVERGEX EXECUTION  
SOLUTIONS LLC and CALLAN  
ASSOCIATES, INC.,

Defendants.  
-----X

**MOTION TO ADMIT COUNSEL PRO HAC VICE**

Pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, David S. Preminger, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of Gregory Y. Porter, McTigue & Porter LLP, 5301 Wisconsin Ave., NW, Washington, DC, 20015, (phone) (202) 364-6900, (fax) (202) 364-9960, gporter@mctiguelaw.com.

Gregory Y. Porter is a member in good standing of the Bars of the District of Columbia and the State of Virginia. There are no pending disciplinary proceedings against Gregory Y. Porter in any State or Federal Court.

Dated: New York, NY  
November 17, 2007

Respectfully submitted:  
Rosen Preminger & Bloom LLP

By: 

David S. Preminger (DP-1057)  
708 Third Avenue, Suite 1600  
New York, NY 10019  
Telephone: (212) 682-1900  
Facsimile: (212) 867-6878

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U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
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**DECLARATION OF DAVID S. PREMINGER  
IN SUPPORT OF MOTION TO ADMIT  
COUNSEL PRO HAC VICE**

David S. Preminger declares pursuant to 28 U.S.C. § 1746 as follows:

1. I am a member of the firm of Rosen Preminger & Bloom LLP, co-counsel for Plaintiffs in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my knowledge of the facts set forth herein and in support of Plaintiffs' motion to admit Gregory Y. Porter as counsel pro hac vice to represent Plaintiffs in this matter.
2. I am a member in good standing of the bar of the state of New York, and was admitted to practice law on March 12, 1973. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Gregory Y. Porter for some years through committee work for the American bar Association and I am familiar with his practice. We have both been involved in complex ERISA class action litigation representing plaintiffs. Mr. Porter is currently admitted pro hac vice in two other cases on which we are working together in the Southern District of

New York: *Young v. General Motors Investment Corp.*, 07 Civ. 1994 (BSJ); and *Brewer v. General Motors Investment Management Corp.*, 07 CV 2928 (LAK).

4. Mr. Porter is a member of McTigue & Porter LLP in Washington, DC.

5. I have found Mr. Porter to be a skilled attorney and a person of integrity as attested to by the certificates of good standing attached as Exhibit 1. He is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure.

6. Accordingly, I am pleased to move the admission of Gregory Y. Porter, pro hac vice.

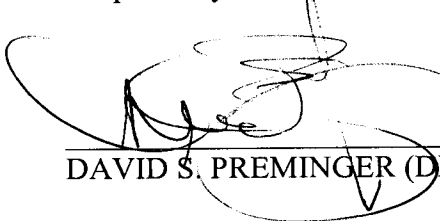
7. I respectfully submit a proposed order granting the admission of Gregory Y. Porter, pro hac vice, which is attached as Exhibit A.

WHEREFORE, it is respectfully requested that the motion to admit Gregory Y. Porter, pro hac vice, to represent Plaintiffs in the above captioned matter, be granted.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 17, 2007 in New York, New York

Respectfully submitted,



DAVID S. PREMINGER (DP 1057)

# Supreme Court of Virginia

AT RICHMOND

## Certificate

I, Patricia L. Harrington, Clerk of the Supreme Court of Virginia,  
do hereby certify that

GREGORY YANN PORTER

was admitted to practice as an attorney and counsellor at the bar of this Court on  
October 28, 1996.

I further certify that so far as the records of this office are  
concerned, GREGORY YANN PORTER is a member of the bar of this  
Court in good standing.

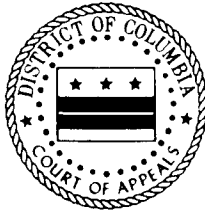
~~Witness~~ my hand and seal of said Court

This 31st day of October

A.D. 2007

By: 

*Deputy Clerk*



**District of Columbia Court of Appeals**  
**Committee on Admissions**  
500 Indiana Avenue, N.W. — Room 4200  
Washington, D. C. 20001  
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that


GREGORY YANN PORTER

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was on the 10<sup>TH</sup> day of JULY, 1998  
duly qualified and admitted as an attorney and counselor and  
entitled to practice before this Court and is, on the date  
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have  
hereunto subscribed my name  
and affixed the seal of this  
Court at the City of  
Washington, D.C., on  
November 5, 2007.

GARLAND PINKSTON, JR., CLERK

By:   
Deputy Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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### ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION

Upon the motion of David S. Preminger, co-counsel for Plaintiffs, and said sponsor attorney's declaration in support;

IT IS HEREBY ORDERED that Gregory Y. Porter, McTigue & Porter LLP, 5301 Wisconsin Ave., NW, Washington, DC, 20015, (phone) (202) 364-6900, (fax) (202) 364-9960, gporter@mctiguelaw.com, is admitted to practice pro hac vice as counsel for Plaintiffs in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](https://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of the Court.

So Ordered: New York, NY  
 , 2007

UNITED STATES DISTRICT/MAGISTRATE JUDGE

**CERTIFICATE OF SERVICE**

I, Veronica Scanlon, hereby certify that on the date set forth below, a copy of the foregoing Motion to Admit Counsel Pro Hac Vice and Supporting Papers was served on Thomas A. Arena, Milbank, Tweed, Hadley & McCloy LLP, One Chase Manhattan Plaza, New York, NY 10005-1413, attorneys for defendants The Bank of New York Mellon and BNY Convergenx Execution Solutions LLC, and Paul Blankenstein, Gibson, Dunn & Crutcher LLP, 1050 Connecticut Avenue, NW. Washington, DC 20036, attorneys for defendant Callan Associates, Inc., by first class mail.

Dated: New York, NY  
November 19, 2007

  
VERONICA SCANLON